IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1155 OF 2005

Cargill India Pvt. Ltd.
and another Petitioners

VERSUS

The State of Maharashtra &
others Respondents

Rahul Chitnis i/by M. & M Legal Venture for petitioners.

Ms.Madhubala Kajale, AGP for respondents 1 & 4

R.A.Tekate for respondents 2 and 3.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 26th April 2005

PC :

1. Heard Mr.Chitnis in support of this petition. Ms.Kajale appears for respondents 1 and 4 and Mr.Tekate appears for respondents 2 and 3.

2. An appeal is available against the impugned order under section 52 of the APMC (Regulation) Act 1963. Mr.Chitnis seeks to withdraw the petition with liberty to file an appeal. The appeal is to be preferred within thirty days.

Inasmuch as the petitioner had rushed to this Court after receiving the impugned order, the respondents will not raise the plea of limitation if an appeal is filed within thirty days from today. Petition is dismissed.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)